



**BY-LAW NO. 314-2011**

**A BY-LAW RESPECTING  
ACCESSIBILITY STANDARDS FOR CUSTOMER SERVICE**

**1. PREAMBLE**

- 1.1 WHEREAS subsection 31(1)(c) of the *Police Services Act* provides that a Board is responsible for the provision of adequate and effective police services in the municipality and shall establish policies for the effective management of the police force;
- 1.2 AND whereas *the Accessibility for Ontarians with Disabilities Act (AODA)* was enacted into law by the Provincial Government in 2005 to ensure the development, implementation, and enforcement of accessibility standards in order to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises on or before January 1, 2025;
- 1.3 AND whereas the Accessibility Standards for Customer Service Regulation 429/07 (ASCS) is the first of five sets of standards to be issued by the Provincial Government in support of the AODA;
- 1.4 AND whereas O. Reg. 429/07 establishes accessibility standards for customer service and applies to every designated public sector organization, and to every other person or organization that has at least one employee in Ontario and that provides goods or services to members of the public or other third parties;
- 1.5 AND whereas Section 1 of the *Ontario Human Rights Code*, c. H. 19 states that, "Every person has a right to equal treatment with respect to services, goods and facilities, without discrimination because of race, ancestry, place of origin, colour ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability."

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD ENACTS AS FOLLOWS:

**2 DEFINITIONS**

- 2.1 "Act" means *Police Services Act*, R.S.O. 1990, c.P.15, as amended;
- 2.2 "Assistive Devices" include, but are not limited to, auxiliary aids such as communication aids, cognition aids, personal mobility aids and medical aids (i.e. canes, crutches, wheelchairs, or hearing aids);
- 2.3 "Board" means the Regional Municipality of Niagara Police Services Board;
- 2.4 "Chief" means the Chief of the Niagara Regional Police Service;

- 2.5 "Disability" is defined as prescribed in the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11 and the *Human Rights Code*, R.S.O. 1990, c. H. 19, as follows:
- a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or in a wheelchair or other remedial appliance or device,
  - b) a condition or mental impairment or a development disability;
  - c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
  - d) a mental disorder, or
  - e) an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*;

2.6 "NRPS" means the Niagara Regional Police Service;

- 2.7 "Service Animals" are defined as prescribed in the Accessibility Standards for Customer Service, O. Reg. 429/07, as follows: "An animal is a service animal for a person with a disability:
1. If it is readily apparent that the animal is used by the person for reasons relating to his or her disability; or
  2. If the person provides a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability;"

2.8 "Support Persons" means, in relation to a person with a disability, another person who accompanies him or her in order to help with communication, mobility, personal care or medical needs or with access to goods or services.

### **3 BOARD POLICY**

- 3.1 The Board is committed to providing equal treatment to people with disabilities with respect to the use and benefit of services, programs and goods provided by the Niagara Regional Police Service, in a manner that respects their dignity and that is equitable in relation to the broader public.
- 3.2 It is therefore the policy of the Board that the Chief of Police develop procedures and practices which address integration, independence, dignity and equal opportunity, in compliance with the requirements of the Accessibility Standards for Customer Service, O. Reg. 429/07 made under the *Accessibility for Ontarians with Disabilities Act, 2005*.

### **4 APPLICATION/SCOPE**

- 4.1 This By-law applies with the necessary modifications to Police Services Board members and staff, and to all employees of the Niagara Regional Police Service, auxiliary members, volunteers, and third party contractors, agents and any other people who interact with the public or other third parties on behalf of the Board and NRPS.

**5** ***DIRECTION TO THE CHIEF***

**5.1** ***PROCEDURES***

**5.1.1** The Chief shall establish written procedures and processes that incorporate the following principles and provisions:

**5.2** ***PRINCIPLES***

**5.2.1** The Chief shall ensure that the services, programs and goods provided by the NRPS to people with disabilities shall be done in a manner that:

- a) Accommodates disability-related needs by modifying the delivery of services, programs and goods to make them accessible to persons with disabilities;
- b) Reflects the principles of dignity and independence;
- c) Seeks to provide integrated services; and
- d) Provides equal opportunity to obtain, use or benefit from the programs, goods and services.

**5.3** ***ASSISTIVE DEVICES***

**5.3.1** The Chief shall ensure that NRPS employees, auxiliary members, volunteers and third party contractors accommodate the use of personal assistive devices. If a person with a disability requires assistive devices to access goods or services of the NRPS, they are allowed to use such devices.

**5.4** ***GUIDE DOGS AND SERVICE ANIMALS***

**5.4.1** The Chief shall ensure that if a person with a disability is accompanied by a guide dog or other service animal, the NRPS will permit the person to enter the premises with the animal and keep it with him or her, unless the animal is otherwise excluded by law from the premises. If the service animal or guide dog is excluded by law from the premises, the NRPS will look to other measures to enable the person with a disability to obtain, use or benefit from the NRPS goods and services.

**5.5** ***SUPPORT PERSONS***

**5.5.1** Where a person with a disability accessing NRPS goods or services is accompanied by a support person, NRPS employees, auxiliary members, volunteers and third party contractors shall ensure that both persons are permitted to enter the premises together and shall ensure that the person with a disability can access the support person while on the premises.

**5.6** ***ADMISSION FEES***

**5.6.1** If the NRPS charges an admission fee in connection with a support person's presence at an event or function, the NRPS shall ensure that notice is given in advance about the amount, if any, that is payable in respect of the support person accompanying a person with a disability.

**5.7** ***COMMUNICATIONS***

**5.7.1** When communicating with a person with a disability, NRPS employees, auxiliary members, volunteers and third party contractors shall do so in a manner that respects the person's disability.

5.7.2 Any documents required to be provided to a person with a disability pursuant to S. 9(1) of Regulation 429/07 shall be provided in a format which takes into account the person's disability.

5.8 *NOTICE OF TEMPORARY SERVICE DISRUPTION*

5.8.1 If there is a disruption in the availability of facilities, services or goods used by persons with disabilities, the NRPS shall give notice to the public of the reason for the disruption, the date(s) of disruption, its anticipated duration and a description of alternative facilities or services, if any, that are available.

5.8.2 Such notice shall be posted in a conspicuous place on the premises of the NRPS or provided by other reasonable methods in the circumstances.

5.8.3 If the temporary disruption is anticipated, the NRPS will provide reasonable amount of advance notice of the disruption. If the temporary disruption is unexpected, notice will be provided as soon as possible.

5.8.4 A document shall be prepared that sets out the steps to be taken in conjunction with a disruption and upon request, shall be given to any person.

5.9 *TRAINING*

5.9.1 All Police Services Board members and staff, NRPS employees, auxiliary members, volunteers and contractors who deal with the public on behalf of the NRPS shall receive training on accessible customer service. Training shall include information about the purposes of *the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c.11* and the requirements of the Accessibility Standards for Customer Service, O. Reg. 429/07 as they pertain to the NRPS.

5.9.2 Training records shall be maintained, including dates when training is provided and the number of employees who received training.

5.9.3 A document describing the training policy shall be prepared that includes a summary of the contents of the training and details of when the training is to be provided.

5.9.4 Third party contractors shall be required to demonstrate to the NRPS that they are in compliance with the AODA Customer Service Standards training.

5.10 *FEEDBACK*

5.10.1 The Chief shall ensure that a process is established in accordance with the Accessibility Standards for Customer Service Regulation for receiving and responding to feedback about the manner in which the Niagara Regional Police Service provides goods or services to persons with disabilities, and that information shall be made readily available to the public.

5.11 *DOCUMENTATION*

5.11.1 Notice shall be given to persons to whom the NRPS provides goods or services that documents required by the Accessibility Standards for Customer Service Regulation are available upon request.

5.11.2 Documentation requested shall be given in a format that takes into account the person's disability.

**6 REPORT TO THE BOARD**

- 6.1 The Chief shall make an annual written report to the Board on or before August 30<sup>th</sup> of each year in respect of Accessibility Standards for Customer Service. The report shall include:
- a. a summary of the written procedures concerning Accessibility Standards for Customer Service; and
  - b. confirmation of NRPS compliance with said procedures.

**7 IMPLEMENTATION**

- 7.1 This By-law shall come into force on the date of its enactment.
- 7.2 The Chief shall implement this By-law, where applicable, through general order.

ENACTED AND PASSED this 15<sup>th</sup> day of December, 2011.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

Chairperson



Executive Director

